



## BROCHURE

### About the Course:

Surendranath Law College, an esteemed Law college, affiliated to the University of Calcutta, has been imparting legal education since 1885. Along with an established framework on conventional classroom teaching and several enlightening seminars, conferences and workshops; our college provides online certificate courses on various subjects, this particular course focuses on the Human Trafficking Related Laws. The course shall be conducted through online platform.

### Key Focus:

The primary focus of this course is to enhance the knowledge of the students regarding the laws pertaining to Human Trafficking, the course shall delve with:

**Understanding the Legal Framework:** The course provides an in-depth exploration of the legal frameworks governing human trafficking at national, regional, and international levels, including relevant treaties, conventions, and laws.

**Identification and Definition:** Participants learn how to identify and define human trafficking according to legal definitions, distinguishing it from related crimes such as smuggling and exploitation.

**Victim Protection and Support:** The course emphasizes the legal rights and protections afforded to victims of human trafficking, including access to justice, support services, and avenues for seeking compensation.

**Prosecution and Law Enforcement:** Participants gain insights into the legal procedures and challenges involved in investigating, prosecuting, and convicting perpetrators of human trafficking, as well as strategies for effective law enforcement cooperation.

**Prevention Strategies:** The course delves into legal strategies for preventing human trafficking, including awareness-raising campaigns, legislative reforms, and collaboration with key stakeholders such as NGOs and law enforcement agencies.

**Gender and Human Trafficking:** Participants examine the intersection of gender dynamics and human trafficking laws, exploring how gender-based discrimination and inequality contribute to vulnerability and shape legal responses.

**Transnational Perspectives:** Given the global nature of human trafficking, the course addresses legal issues related to cross-border trafficking, international cooperation mechanisms, and extradition procedures.

**Human Rights and Trafficking:** Participants explore the human rights dimensions of human trafficking laws, including the right to freedom, dignity, and non-discrimination, as well as the obligations of states to prevent and combat trafficking.

**Ethical and Legal Challenges:** The course engages with ethical dilemmas and legal complexities inherent in addressing human trafficking, such as the tension between law enforcement objectives and the protection of victims' rights.

**Emerging Trends and Policy Responses:** Participants examine emerging trends in human trafficking, such as online exploitation and trafficking in the context of armed conflict, and evaluate the effectiveness of legal and policy responses in addressing these challenges.

<b>COURSE STRUCTURE: (TOTAL No. of MODULES: 10)</b>
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## **MODULE – I**

Overview of Human-Trafficking: Definition, Dimension and Factors Associated with Human Trafficking

- Human Trafficking – Overview and concept
- Magnitude
- History of a Definition
- The 2000 Definition of Trafficking: “Action”; “Means”; “Purpose”.
- The Scope and Limits of the Definition
- Classification of Human Trafficking
- Vulnerability Factors - Accentuating vs. Mitigating Factors
- Demand Factors - Factors enhancing demands; Factors controlling demands
- Criminalizing Demand vs. Legalization of Prostitution

## **MODULE – II**

The International Legal Framework

- Anti-Trafficking measures under International Human Rights Treaty Law
- Trafficking and White Slavery
- The 1949 Trafficking Convention
- The CEDAW Convention
- The Convention on the Rights of the Child and Its Optional Protocol

- Trafficking in Transnational Criminal Law
- The Organized Crime Convention
- The Trafficking Protocol
- The Migrant Smuggling Protocol
- Non-treaty Aspects of the International Legal Framework
- Customary Law, Jus Cogens, and Trafficking
- Secondary and Subsidiary Sources of International Law
- The “Soft” Law of Trafficking

### **MODULE – III**

#### The Regional Legal Framework

- European Union Instruments
- EU Framework Decision on Combating Trafficking (2002)
- EU Council Directive on Short-Term Residency Permits
- Proposal for a Replacement to the 2002 Framework Decision (2009–2010)
- The Council of Europe Convention against Trafficking
- The SAARC Convention

### **MODULE – IV**

#### National legal framework

- Laws relating to human trafficking
- Indian penal code and human trafficking
- Laws relating to labor and human trafficking
- Laws relating to organ transplantation and human trafficking
- Role of juvenile justice act in human trafficking cases
- Foreigners act vs. Human trafficking

## **MODULE – V**

Institutional response mechanism to human trafficking

- National policy
- Police administration
- Ministry of women and child development role in combating human trafficking
- Governmental schemes
- Other agencies role in trafficking cases
- NHRC role

## **MODULE – VI**

Specific Legal Issues

- Trafficked Persons as Noncitizens
- Trafficked Persons as Migrants and Migrant Workers
- Trafficking and Slavery
- Trafficking as a Form of Discrimination and Violence against Women
- Trafficking and Asylum
- Trafficking in International Humanitarian Law and International Criminal Law

## **MODULE – VII**

State Responsibility for Trafficking

- A General Theory of International Responsibility
- State Responsibility for Violations of International Law Associated with Trafficking
- State Responsibility for Trafficking-Related Breach of Obligations

Originating in the Conduct of Private Persons or Entities

- Legal Responsibilities of International Organizations, Private Individuals, and Private Entities.
- Obligations of Protection and Support
- Obligations Related to Repatriation and Remedies
- Obligations of an Effective Criminal Justice Response

## **MODULE – VIII**

### Prevention of Trafficking and Legal Response

- Prevention through Addressing Vulnerability
- Prevention through Addressing Demand
- Prevention through Addressing Corruption and Complicity
- Prevention through effective prosecution
- Protection Mechanism
- Challenges in Prevention
- Models on Prevention

## **MODULE – IX**

### Obligation to ensure effective investigation and Prosecution of trafficking cases

- State obligation
- Victim Protection from prosecution
- Formal initiation of cases
- Due diligence obligation
- Mutual Legal Assistance
- Use of appropriate provision of law
- Challenges for investigation and prosecution
- Judicial role

## **MODULE – X**

Victim rights to Reparation: Rescue, Repatriation, Reintegration and compensation to victim

- Concept of Reparation
- Definition
- Legislative framework in India
- Scope for improvement
- Victims of Trafficking and Reparation
- Obligation to identify and rescue victims
- Obligation to provide protection
- Obligation to repatriate
- Obligation for rehabilitation as well as compensation